

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARGARET RATNER KUNSTLER, ET AL.,

Plaintiffs,

22-cv-6913 (JGK)

- against -

ORDER

CENTRAL INTELLIGENCE AGENCY, ET AL.,

Defendants.

On November 29, 2022, defendants Davis Morales Guillen and Undercover Global S.L. responded to the plaintiffs' complaint with a submission that appeared to be signed only by foreign counsel. Accordingly, on December 8, 2022, the Court directed those defendants to obtain local counsel and to ensure that such local counsel filed a notice of appearance and, if necessary, an application for admission pro hac vice on or before January 30, 2023. See ECF No. 21 ("December 2022 Order"). The Court also set a February 10, 2023 deadline for those defendants to submit a letter indicating whether the November 29, 2022 submission was intended as an answer to the complaint or a motion to dismiss. Id. The Court made clear that "Mr. Guillen, as an individual defendant, may choose to proceed pro se, but Undercover Global S.L., as a corporate entity, must appear by counsel." Id.

The deadlines set in the December 2022 Order passed without any of the Court-ordered activity. Accordingly, on February 21, 2023, the Court extended the time for Mr. Guillen and Undercover

Global S.L. to retain local counsel and file the necessary notice of appearance, as well as any application for admission pro hac vice, to March 21, 2023. See ECF No. 30 ("February 2023 Order"). The time to file the letter regarding the intended purpose of the November 29, 2022 submission was extended to April 7, 2023. Id. Consistent with the February 2023 Order, the plaintiffs timely served copies of both the December 2022 Order and the February 2023 Order on the defendants. See ECF No. 31.


The extended deadlines set forth in the Court's February 2023 Order have long since elapsed, and there has been no notice of appearance by local counsel for Mr. Guillen or for Undercover Global S.L., nor have those defendants filed the requested letter. At this juncture, the plaintiffs may move by order to show cause for a default judgment against Undercover Global S.L., which, as this Court previously explained, is a corporate defendant that cannot proceed without counsel. The order to show cause must be filed by **July 12, 2023**. The plaintiffs should consult the Local Rules and this Court's Individual Practices.

Because Mr. Guillen, an individual defendant, may proceed pro se, Mr. Guillen may appear pro se (or with local counsel, if retained) and file a new answer or response to the complaint by **July 21, 2023**. If Mr. Guillen fails to do so, the plaintiffs may move by order to show cause for a default judgment against Mr. Guillen by **August 10, 2023**.

The plaintiffs are directed to serve a copy of this Order to Mr. Guillen and Undercover Global S.L. and to file proof of such service on the docket by **June 30, 2023**.

SO ORDERED.

**Dated: New York, New York
June 21, 2023**



**John G. Koeltl
United States District Judge**